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Security Council

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Letter dated 15 October 2010 from the Permanent Representative of Chad to the United Nations addressed to the President of the Security Council

Acting upon instructions from my Government, I have the honour to transmit to you, for the attention of the Security Council, a new plan updated by Chad for the sustainment of the Détachement intégré de sécurité (DIS), in accordance with paragraph 5 of Security Council resolution 1923 (2010) (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Ahmad **Allam-mi**
Ambassador
Permanent Representative

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Annex to the letter dated 15 October 2010 from the Permanent Representative of Chad to the United Nations addressed to the President of the Security Council

Détachement intégré de sécurité sustainment plan submitted by the Republic of Chad

Pursuant to paragraph 5 of Security Council resolution 1923 (2010) of 25 May 2010, the Government of Chad undertook to submit a plan concerning the support to be provided to elements of the Détachement intégré de sécurité (DIS) following the departure of the United Nations Mission in the Central African Republic and Chad (MINURCAT).

The plan outlines measures whereby DIS would be able to provide for effective security in and around refugee camps and internally displaced persons sites, provide security escorts and ensure area security, in coordination with the gendarmerie and the Garde nationale et nomade du Tchad (GNNT).

The sustainment plan should receive considerable support from the partners, for United Nations Police (UNPOL) officers, who are part of MINURCAT, have been training DIS members for the past two years. The Détachement intégré de sécurité, which took over from the Commission nationale d'aide aux réfugiés (CNAR), is a one-of-a-kind outfit. That is why it would be a good idea to set up a Support Office so as to give DIS the support it needs for a limited period of time, in order to build upon its achievements with a view to becoming self-sustaining.

Security system sustainment plan

Protection of civilians in the country is primarily the Government's responsibility. There have been positive developments in the security situation in eastern Chad owing, essentially, to the normalization of relations between Chad and the Sudan following the N'Djamena Agreement of 15 January 2010; this Agreement led to the deployment of a 3,000-strong joint Chadian-Sudanese force along the border. The decision was also taken to open the border between the two countries, which led to action being taken to prohibit any cross-border movements of armed elements.

This new context has enabled the Government of Chad to assume full responsibility for the security and protection of the civilian population in the performance of the following tasks:

(a) Ensuring the security and protection of civilians in danger, particularly refugees and internally displaced persons;

(b) Facilitating the delivery of humanitarian aid and the free movement of humanitarian personnel by improving security in the area of operations;

(c) Ensuring the security and freedom of movement of MINURCAT personnel and of United Nations and associated personnel.

It should be recalled that the Government of Chad had withdrawn all Chadian military personnel from humanitarian work so that the United Nations force and DIS elements could take their place. In this new state of affairs, security will be — and indeed is already being — strengthened through the relocation of military personnel

to the centres vacated by the United Nations force and through the strengthening of security in towns by elements of the Gendarmerie and GNNT. The Détachement intégré de sécurité, which was responsible for security in and around refugee camps and displaced persons sites within a 10-kilometre radius, will then have broader scope for action throughout its areas of jurisdiction, in addition to the provision of escort details for humanitarian workers that will need to be arranged in cooperation with other security forces in the region. The security belt in eastern Chad, in Salamat, Moyen-Chari and Logone Oriental, will consist of three levels:

- The first level: the sovereignty forces (the Chadian National Army), which are based in the garrison towns along the border from Bahai to Tissi. In addition, the joint Chadian-Sudanese force is based in 10 locations on either side of the border and its headquarters, which was in El Geneina (the Sudan), is now in Abéché (Chad), based on a six-month rotation.

- The second level: the forces of the territorial gendarmerie and GNNT, which are located in all large villages on the Chadian side of the border between the DIS area of operations and the garrison towns. There is also a joint disarmament force which continuously patrols the entire eastern area. This is a mobile force which provides support to other security forces where necessary.

- The third level: the DIS line of surveillance, the area in and around refugee camps and towns monitored in conjunction with local security forces such as the gendarmerie and the National Police. It should be noted that all these forces have communication devices for real-time information exchange.

These three levels of security have already proven to be effective. The activities of the bandits and criminals who used to scour this area until quite recently have been sharply curtailed because they now lack places of refuge or shelter. As a case in point, when Hubert Blama, an employee of the humanitarian NGO Oxfam, was kidnapped, the defence and security forces and DIS elements were able to work together to surround the area and prevent the kidnappers from crossing the border before launching their attack to free the hostage. Another act of bravery by DIS elements took place on Sunday, 27 June 2010, when a gang armed with assault rifles invaded the headquarters of the NGO Intermoon Oxfam in Koukou Angarana and took Ms. Sandrine Robert, a French national, along with two vehicles, a computer and a portable telephone. Once notified, DIS elements immediately began to pursue the assailants. The agents intercepted the criminals, subdued them and brought back Ms. Sandrine Robert safe and sound; the two vehicles, however, were damaged. On 3 July 2010, around Oum-Hadjer, a vehicle belonging to the NGO Africaire was hijacked by criminals. DIS elements based in Guereda were able to recover the vehicle and arrest the assailants. On 4 July 2010 in Abéché, a MINURCAT vehicle bearing licence plate UN 00779 was hijacked. Once again, DIS elements were able to recover the vehicle in less than two hours, arrest the hijackers and take them into custody.

Presently, the security situation is well under control, to the point where DIS elements can even conduct patrols and escorts in other vulnerable communities. They provide security in and around refugee camps and internally displaced persons sites and facilitate the delivery of humanitarian aid and the free movement of humanitarian personnel, in liaison with the gendarmerie and GNNT. Chad is now in a position to exercise its sovereign responsibility to provide full security for persons and goods throughout its territory.

The Government has deployed a DIS team to Haraze to enhance security for the 6,227 Central African refugees in that area. In an effort to provide security in and around refugee camps and internally displaced persons sites, it has taken measures to organize escorts and secure the areas. It has assigned a vehicle to Goré and another to Maro for the escort of humanitarian workers, so that such workers do not have to "pay for escorts", as they put it, while awaiting the deployment of DIS elements to Daha in Salamat, Goré in Logone Oriental and Maro in Moyen-Chari.

Pursuant to the aide-memoire of 15 May 2010 between the Government of Chad and the United Nations, 200 — rather than 150 — gendarmes and police officers have been placed at the disposal of MINURCAT for pre-selection and training as part of the last group of DIS elements required to reach the target of 1,000 elements. The Government also proposes to recruit and train 400 secondary school graduates in order to strengthen the DIS force and facilitate the delivery of humanitarian aid and the free movement of humanitarian personnel by helping to improve security in the areas of operation.

The coordination of security activities is monitored by the Bureau de Sécurisation et des Mouvements, whose mission is to assess the security of humanitarian workers and goods within the security zone and to decide on modalities for the movement and security of personnel and installations as dictated by the security situation. The Bureau is operational and is established in all refugee and displaced persons areas.

Finance and logistics sustainment plan

The Détachement intégré de sécurité is made up of Chadian gendarmes and police officers. It is a corps that was specifically established for the maintenance of law and order in refugee camps, internally displaced persons sites and key towns in eastern Chad, and to help to provide security for humanitarian operations in that part of the country.

Accordingly, the Government intends to maintain the structure of this efficient force, which has been well trained in accordance with international human rights standards, while expanding its size and providing it with more human and material resources after the withdrawal of MINURCAT until such time as the Darfur and Central African Republic crisis is over and the refugees have returned to their homeland. Members of DIS remain Chadian gendarmes and police officers working in their own country and retain their national entitlements. They will be entitled to hazard pay, which will replace the stipends paid by MINURCAT. The Government will assume full responsibility for DIS in terms of finances, logistics and materiel.

Finances or operations

The 2011 draft budget prepared by the budget and finance unit of DIS is based on article 16 of Decree No. 1131/PR/08 of 27 September 2008 on the creation and organization of DIS, which grants national and other entitlements to DIS members. Accordingly, budgetary and financial allocations are estimated at CFAF 3,334,760,000, broken down as follows:

- Food and general subsistence allowances for a force of 1,000, calculated on the basis of operating rates, amounting to CFAF 61,200,000;

- Rental and food subsidies and other payments made to DIS personnel by MINURCAT, estimated at US$ 300,050,000 (or CFAF 153,694,701) per month, for an annual total of CFAF 1,844,336,412;
- Internal and external continuous education in humanitarian law, estimated at CFAF 100,000,000;
- Mission expenses for field visits and security assessments are estimated at CFAF 100,000,000;

Added to this are the base salaries paid by the corresponding departments of the Ministry of Defence and the Ministry of the Interior and Public Security.

Logistics

Logistics are the catalyst for the success of the DIS mission. It is hoped that the establishment of a Support Office will shortly provide all the assistance needed by DIS in order to consolidate and strengthen its achievements with a view to promoting its sustainment.

The Office's activities will deal with the following:

- Financial and material management of funds and resources, including the physical plant, provided to DIS by donors;
- Staff capacity-building by providing continuing and specialized training in human rights, international humanitarian law, the rights of refugees and displaced persons, communications, computer technology, research techniques, reading of topographical maps and use of GPS technology, human resources management and evaluation, community policing and ethics.

The DIS Support Office will be composed of the following:

- Human Resources Unit, responsible for personnel management in the Support Office;
- Trust Fund, which will identify the planning needs and prepare periodic financial reports for donors and the Government;
- Physical Plant and Security Unit, responsible for managing buildings, maintaining local premises provided to DIS and overseeing wells, water treatment, electrification and generators;
- Transport Unit, in charge of supervising and managing the ground fleet, vehicle maintenance and repair and use of fuel and lubricants;
- Transmission and Communications Unit, which will be vital to DIS in conducting its mission. It will allow for internal communication among the various services; external communication between DIS and humanitarian workers; and external communication between DIS and the country's defence and security forces.

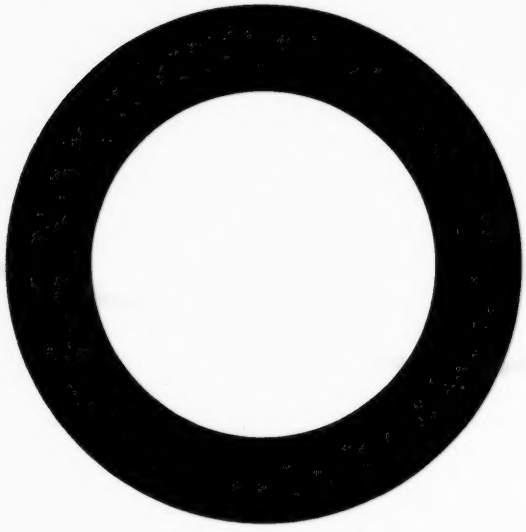
This Office could be attached to a United Nations agency in Chad (UNDP/UNHCR) and would work in close cooperation with that agency and with the Coordination nationale d'appui au déploiement de la force internationale à l'est du Tchad (CONAFIT), while strengthening its operational capacities through BSM.

With the introduction of the new logistics system, including the establishment of the DIS Support Office, the rotation of DIS troops and medical evacuations will require the mobilization of aircraft; a budget allocation for this activity in the amount of CFAF 100,000,000 will therefore be needed. The draft 2011 budget for the DIS logistics unit will provide for the logistics needs themselves and the requirements of the United Nations Support Office for DIS; it will also take into account the new environment in eastern Chad, Salamat, Moyen-Chari and Logone Oriental. The logistics budget is estimated at CFAF 6,033,690,650, and that of the Support Office will total CFAF 670,765,030 (see annex).

Overall, the Government has been spending US$ 12 million per month to meet security and humanitarian obligations in eastern and south-eastern Chad, excluding the cost of border security operations conducted by joint Chadian-Sudanese forces. It should be recalled that logistical support for providing security in refugee camps, displaced persons sites and key towns, community policing and escorts for humanitarian workers requires the support of key partners. Managing and meeting needs in terms of humanitarian space concerns not only the Government, but also its partners from the United Nations, the European Union and, in particular, UNHCR and UNDP. For this reason, the establishment of a Support Office will enable DIS members to continue to receive training in very specific and technical areas and in the new international standards for managing the allocated resources in order to continue to manage the mission on their own.

DIS will soon be relieved of the responsibility of managing its operational resources in order to give its full attention to its operational obligations, in the assurance that logistics are being handled by well-trained, rigorous management technicians, such as those observed during the MINURCAT period.

The international community will have another partner along with the State of Chad, and by combining our efforts we will be able to support Sudanese and Central African refugees and displaced persons until their voluntary return and resettlement in secure and sustainable conditions in their respective countries and villages of origin.



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Progress report of the Secretary-General on the United Nations Operation in Côte d'Ivoire

I. Introduction

1. By its resolution 1933 (2010), the Security Council extended the mandate of the United Nations Operation in Côte d'Ivoire (UNOCI) until 31 December 2010, and requested me to report on the publication of the final voters list in Côte d'Ivoire by providing a midterm report no later than 22 October 2010. The present report focuses on developments related to the establishment of the final voters list and its certification by my Special Representative that have occurred since my twenty-fourth report on the United Nations Operation in Côte d'Ivoire (S/2010/245) of 20 May 2010.

II. Establishment of the final voters list

2. In my last report, I noted that the electoral process was abruptly interrupted in January of this year following reports of the existence of a parallel voters list of 429,000 persons prepared by the former President of the Independent Electoral Commission, which prompted allegations of fraud. Prior to that, the voter registration and identification operations which were completed in November 2009, had yielded a provisional voters list of 5,277,392 persons confirmed by the technical operators (commonly referred to as "the white list"). In addition, there was a list of 1,003,985 persons who remained to be confirmed (commonly referred to as "the grey list"). The President, Laurent Gbagbo, and the Prime Minister, Guillaume Soro, agreed that the latter would continue to consult all stakeholders to find ways to resolve the impasse on the voters list. The electoral process remained stalled as protracted discussions ensued among the Ivorian protagonists and relevant institutions on how to address the allegation of fraud and how to resume the interrupted appeals process on the provisional voters list.

Appeals process

3. Efforts led by the Prime Minister to break the impasse on the voters list resulted in an agreement by the Ivorian parties on 26 April to resume the electoral process and to proceed with the appeals process on the "grey list" on 17 May. As indicated in my last report, the voter registration and identification operations had

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yielded a provisional voters list of some 5.3 million persons. Meanwhile, during the course of May, President Gbagbo held direct discussions with the former President, Henri Konan Bédié, who is also President of the Parti démocratique de Côte d'Ivoire, and the former Prime Minister Alassane Dramane Ouattara, who is also President of the Rassemblement des républicains, which resulted in a decision to call off the nationwide demonstrations earlier planned by the opposition alliance Rassemblement des houphouëtistes pour la démocratie et la paix to protest against the interruption of the electoral process.

4. The appeals process, which was conducted by appeals committees established at the 415 local electoral commissions and comprising members of the national identification and voter registration structures, including the National Identification Office, the National Statistics Institute and the National Commission on the Supervision of Identification, was completed on 15 June. The process determined that a total of 496,738 persons on the "grey list" were eligible for inclusion on the final voters list. The Independent Electoral Commission subsequently added the names of these confirmed persons to the "white list", which consequently increased from 5,277,392 to 5,775,184 voters.

5. The expanded "white list" of 5,775,184 voters was subsequently subjected to another appeals process, which commenced on 20 July, following the public display of the "white list" at the 415 local electoral commissions by the Independent Electoral Commission with UNOCI support. The turnout remained low throughout the process, which ended between 4 and 8 August. The local electoral commissions received a total of 68,751 petitions, of which 30,293 requested the removal of individuals from the list on the ground that they had been registered fraudulently. Court hearings on these cases commenced on 9 August throughout the country.

6. Allegations that some members of the Front populaire ivoirien (FPI) had submitted requests to remove large numbers of persons from the list led to protests in some localities. In Divo, Man and San-Pédro, the court hearings were interrupted following clashes between members of the ruling FPI party and opposition youth groups. Disputes over procedures also led to the suspension of court hearings in some localities. According to the relevant legislation, all petitions had to be reviewed by the local electoral commissions before they were examined by the courts. Some judges, however, adjudicated cases that they had received directly from complainants. The Independent Electoral Commission determined that petitions not submitted or processed within the established procedures could not be taken into account.

7. The appeals process and court hearings ended on 26 August, although some court hearings in Man and Sassandra continued until 31 August. On 28 August, the Facilitator of the Ivorian peace process, President Blaise Compaoré of Burkina Faso, issued a statement welcoming the end of the appeals process.

Verification process

8. In parallel to the appeals and court hearings process, and in response to concerns of fraud voiced earlier by the ruling party, the Ivorian parties agreed, on 7 June, to verify the identity of 1,792,356 persons on the "white list", whose identity had initially been confirmed through records attesting to their ancestry. That

process, led by the Office of the Prime Minister, commenced on 21 June and comprised an electronic verification phase as well as a manual verification phase.

9. Only a small number of cases were verified during the electronic phase. On 2 July, the process stalled over divergent views with regard to the number of people to be verified during the second phase and the modus operandi for the manual verification. Following an agreement by the parties on the procedures, the manual phase of the verification process was conducted from 20 July to 2 August.

10. The verification process was discussed with UNOCI and the technical operators on 2 September, and the Prime Minister consulted the Ivorian stakeholders on the outcome. Following a meeting between President Gbagbo, Prime Minister Soro and the opposition leaders, Messrs. Bédié and Ouattara, on 6 September, the Prime Minister announced that some 55,000 persons would be temporarily removed from the provisional voters list as a result of the verification process. That number comprised individuals for whom no civil registry records could be found, as well as persons for whom information on the voter registration form did not correspond to the data in the civil registry. It was also agreed that those cases would be resolved after the elections.

Electoral timeline

11. On 5 August, following discussions by the Council of Ministers and based on a proposal by the Independent Electoral Commission, Prime Minister Soro announced that the first round of the presidential elections would be held on 31 October 2010. A presidential decree to that effect was signed on the same day. On 25 August, the President of the Independent Electoral Commission published the following electoral timeline: on 30 September, the final voters list would be published electronically; voters cards would be distributed from 10 to 23 October; and the electoral campaign would be conducted from 16 to 30 October. The Electoral Commission also indicated that the provisional results of the first round would be announced by the Electoral Commission on 3 November, followed on 10 November by the confirmation of the final results of the first round of the presidential elections by the Constitutional Council. The timeline published by the Electoral Commission also envisages a possible second round of the presidential elections on 28 November 2010.

Establishment of the final voters list

12. Shortly after their meeting of 6 September, referred to in paragraph 10 above, Prime Minister Soro announced, in the presence of President Gbagbo, former President Bédié and former Prime Minister Ouattara, that an agreement had been reached by all parties on the final voters list. He further stated that the list would be established by the Independent Electoral Commission shortly and that President Gbagbo would sign the relevant presidential decrees.

13. President Gbagbo signed a presidential decree, on 9 September, authorizing the issuance of national identity cards to the 5,725,720 Ivorians on the final voters list. The private technical operator, Sagem, submitted the electronic version of the final voters list to the Office of the Prime Minister on 11 September, and the list was handed over to the Independent Electoral Commission on the same day.

14. On 21 September, the seventh meeting of the Permanent Consultative Framework was held in Ouagadougou, under the auspices of the Facilitator, President Compaoré. President Gbagbo, Prime Minister Soro and the opposition party leaders, Messrs. Bédié and Ouattara, attended the meeting. In a communiqué issued after the meeting, the members of the Permanent Consultative Framework welcomed the validation by the Independent Electoral Commission of the final voters list, and the signing by President Gbagbo of a decree authorizing the distribution of national identity cards to the 5,725,720 persons on the final voters list. The Permanent Consultative Framework also stated that the 55,000 persons, whose identity could not be verified owing to technical reasons, should be given the opportunity to submit their cases to an ad hoc technical body that would be established after the elections. Furthermore, the members of the Permanent Consultative Framework called upon stakeholders to complete the remaining tasks in the electoral process with a view to holding free and fair elections on 31 October, and agreed to convene a meeting thereafter to take stock of progress made in the Ivorian peace process.

15. Issues related to the reunification of Côte d'Ivoire were also examined by the members of the Permanent Consultative Framework during their meeting on 21 September in Ouagadougou. The Permanent Consultative Framework noted with satisfaction the progress made with regard to the reunification of the country, including the operations to canton the 5,000 Forces nouvelles elements earmarked to join the new army in Korhogo, Séguéla, Bouaké and Man. They also commended progress made in restoring State authority, including the deployment of customs officers to Pogo, Ouangolodougou, Ferkéssédougou, Korhogo, Bouaké and Man, and urged the Ivorian parties to complete the tasks envisaged in the fourth supplementary agreement to the Ouagadougou Political Agreement. Previously, on 28 August, the Facilitator had noted with satisfaction the ongoing efforts to implement the remaining tasks envisaged in the fourth supplementary agreement to the Ouagadougou Political Agreement.

III. Certification of the final voters list

16. In keeping with paragraph 11 of Security Council resolution 1826 (2008), on 24 September, my Special Representative certified the final voters list. The certification was based on his "five-criteria framework for certification", which was referred to in paragraph 32 of my sixteenth progress report on UNOCI (S/2008/250). The framework defines broad benchmarks that enable my Special Representative to assess whether: (a) a secure environment exists during the period leading to the elections and allows for the full participation of the population and the candidates in the process; (b) the electoral process is inclusive; (c) all candidates have equitable access to the State-controlled media and whether the latter remains neutral; (d) the voters list is credible and accepted by all parties; and (e) the results of the elections are determined through a transparent counting process and are accepted by all or challenged peacefully through the appropriate channels.

17. The certification of the final voters list focused on six major steps that have spanned more than five years, including the mobile courts operations, the reconstitution of the civil status registries, the identification of the population, the voter registration process, the establishment of the provisional voters list, and the appeals process. At the successful conclusion of each of those steps, my Special

Representative had certified each step "implicitly" through a press conference in which he positively evaluated the work accomplished.

18. Throughout the process leading to the establishment of the final voters list, my Special Representative closely monitored consultations among the parties, examined and analysed the procedures agreed upon, closely followed the implementation of those procedures, and gave priority to consultation and dialogue with all the national institutions, civil society and stakeholders responsible for managing the electoral process, including political actors, and international partners. The formal certification of the final voters list was based on consultations with those stakeholders.

19. My Special Representative measured progress against two key indicators: peace and inclusiveness. After a thorough analysis and evaluation of the final voters list, he arrived at the conclusion that this list is solid, balanced and credible. He assessed that, despite multiple challenges and delays, the electoral process, so far, has been conducted in an atmosphere that could be qualified as peaceful and stable and the procedures adopted and implemented throughout the process gave voters ample opportunity to register to vote. He also pointed out in his statement on 24 September that his certification role has been facilitated by the Ivorian stakeholders throughout the process. Their consensual way of decision-making, although often protracted, was instrumental in ensuring a peaceful environment for the electoral process as well as inclusiveness.

20. In a statement issued the same day, I welcomed the significant progress in the electoral process and congratulated the Ivorian political leaders and the Facilitator on this important achievement. On 28 September, my Special Representative briefed the Security Council on progress made in the electoral process, notably the final voters list and his certification of it.

21. Following the establishment of the final voters list and its certification on 24 September, the Independent Electoral Commission, together with UNOCI, developed a plan to address the remaining tasks leading to the elections, including the distribution of 11,658,719 identity and voters cards; the establishment of the electoral map of 10,179 polling sites and 20,073 polling stations; the identification, recruitment and training of 66,000 polling staff; the coordination of electoral observers; the transportation of the electoral material; the establishment of a results tally centre; and the provision of security for the elections. On 27 September, the Independent Electoral Commission indicated that both identity and voters cards would be ready for distribution starting on 7 October. The technical operators presented the identity and voters cards to the Prime Minister on 1 October.

IV. Security for the electoral process

22. The limited capacity of the Integrated Command Centre (ICC), which is responsible for providing security during the elections, remains an issue of concern. As indicated in my previous report, the Ivorian security forces continue to be unable to deploy the full complement of the agreed 8,000 personnel as mixed units of ICC, which also lacks the capacity and means to effectively provide a secure environment for the elections. Given the lack of capacity of ICC, it will be necessary to rely on all available forces in Côte d'Ivoire to provide security for the elections.

23. The United Nations Operation in Côte d'Ivoire will continue to assist the Ivorian authorities in maintaining a secure environment for the completion of the peace process, in particular during the sensitive electoral process. In line with my earlier recommendation that UNOCI be reinforced for a limited period before, during and after the elections, I requested the Security Council, in a letter dated 14 September (S/2010/485), to authorize the temporary deployment of up to 500 additional troops and police by increasing the operational elements of existing formed police units, and two additional infantry companies to reinforce arrangements to secure elections in Côte d'Ivoire, for a period up to six months. I am grateful for the Security Council's approval of my recommendations as conveyed in the letter of the Security Council President dated 17 September (S/2010/486) and in resolution 1942 (2010). The total of 500 additional personnel was fully deployed on 18 October.

V. Observations

24. The establishment of the final voters list is a major breakthrough in the Ivorian peace process. It not only makes the holding of the elections possible, but it will also allow millions of Ivorians to receive identity cards, thus addressing the identification issue, which has been at the centre of the Ivorian crisis. I would like to congratulate the Ivorian political leaders and the Facilitator on this important achievement and commend the Ivorian people for their patience.

25. It is now essential for the parties and national institutions to ensure that this time elections take place as scheduled. While the challenges in completing the technical processes ahead are not to be underestimated, I am convinced that they can be overcome through the proactive engagement of the responsible Ivorian stakeholders with the support of UNOCI, the United Nations system and the international community. I therefore call upon the parties, as well as national institutions, to maintain the momentum and complete the remaining tasks in a timely manner in order to meet the election date.

26. The positive and calm political and security climate engendered by the Ouagadougou Political Agreement and the spirit of compromise and consensus that has brought Côte d'Ivoire thus far are encouraging and bode well for the elections. I therefore urge again the political parties and candidates to strictly adhere to the Code of Conduct for elections, which they signed on 24 April 2008 in Abidjan under my auspices. As has been the case to date, my Special Representative will continue to closely follow developments and fully consult with the key stakeholders in order to fulfil his certification mandate throughout the electoral process. His certification mandate remains an important safeguard.

27. I am concerned by the reports that militia groups and elements are threatening to disrupt the electoral process. UNOCI will work with all parties and the Ivorian national security and law and order institutions to put in place the necessary security arrangements and prevent spoilers from undermining the elections. A lot has been achieved so far, and all stakeholders should work cooperatively to ensure that the elections build upon the progress made and contribute to establishing lasting peace in Côte d'Ivoire.

28. I would like to commend the Facilitator of the Ivorian peace process, President Compaoré of Burkina Faso, for his tireless facilitation efforts and the Ivorian parties

for their consensual way of taking decisions all along the peace process. The Facilitator's continuous engagement and the sustained spirit of dialogue and compromise among the Ivorian parties, will be critical to ensure that elections in Côte d'Ivoire will consolidate peace and democracy and do not become a source of instability.

29. I am pleased to note that the members of the Permanent Consultative Framework agreed that the cases of those 55,000 persons, who have not been included on the voters list for technical reasons, will be reviewed after the elections. I fully share the view of the members of the Permanent Consultative Framework that further efforts will be needed to address outstanding tasks with regard to the reunification of the country. This is an ongoing process that will continue to be addressed by the newly elected Government. I also welcome the initiative to convene a meeting after the elections to take stock of progress made in that regard.

30. My next regular report, which will be issued in November, will provide a detailed assessment of the first round of the Presidential elections and issues regarding the next steps in Côte d'Ivoire, including arrangements for determining the future direction of UNOCI.

31. While it is both difficult and undesirable to foreshadow the outcome of any electoral process, as a prudent exercise, the United Nations and the international community must be prepared to deal with possible challenges arising after the first round, as also for the need of a second round of voting. I call upon the political leaders and the Ivorian people to respect the results of the elections, and to resolve any electoral grievances through the appropriate channels. The United Nations, the Facilitator and the international community stand ready to assist the parties in addressing any issues that may arise throughout the electoral process with a view towards a successful conclusion of the peace process.

32. In conclusion, I would like to congratulate my Special Representative for Côte d'Ivoire and the women and men of UNOCI for their untiring efforts and continued commitment to supporting the peace process. Finally, I thank all troop- and police-contributing countries, the Economic Community of West African States, the African Union, United Nations system agencies, funds and programmes, humanitarian organizations and multilateral and bilateral donors, as well as international and local non-governmental organizations, for their important contributions to the return of peace and stability in Côte d'Ivoire, and their unwavering commitment.

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Twelfth semi-annual report of the Secretary-General on the implementation of Security Council resolution 1559 (2004)

I. Background

1. The present report is my twelfth semi-annual report on the implementation of Security Council resolution 1559 (2004). It assesses progress made in the implementation of the resolution since my previous report, dated 19 April 2010 (S/2010/193). It highlights the remaining concerns that continue to impede efforts to strengthen Lebanon's sovereignty, territorial integrity and political independence as called for in the resolution.

2. Municipal elections were held in the country throughout the month of May. They took place in a generally calm and peaceful atmosphere, despite minor security incidents.

3. On 31 July, the President, Michel Sleiman, hosted a joint summit in Beirut with the King of Saudi Arabia and the President of the Syrian Arab Republic. The Emir of Qatar paid an official visit to Lebanon from 31 July to 2 August, which included a tour of villages in the southern part of the country. Those visits signalled a strong Arab commitment to the maintenance of stability in Lebanon, in the context of increased domestic tension generated by speculation, rumours and allegations regarding potential indictments by the Special Tribunal for Lebanon. Against that background, there have recently been some public exchanges of sharp statements between Lebanese leaders, which have worsened the political climate.

4. On 13 and 14 October, the President of the Islamic Republic of Iran conducted an official visit to Lebanon, including a tour of villages in the south, during which he expressed strong support for Hizbullah.

II. Implementation of resolution 1559 (2004)

5. I recall that, since the adoption of Security Council resolution 1559 (2004) on 2 September 2004, several of its provisions have been implemented. Presidential and parliamentary elections were held in a free and fair manner. The Syrian Arab Republic withdrew its troops and military assets from Lebanon in April 2005. Lebanon and the Syrian Arab Republic established full diplomatic relations and have engaged in high-level talks on matters of relevance to Lebanon's sovereignty,

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political independence and territorial integrity, such as the delineation of their common border.

6. However, the delineation of the border, which was strongly encouraged by the Security Council in its resolution 1680 (2006), has not yet been carried out. In addition, the presence of Lebanese and non-Lebanese militias and a worrisome pattern of armed incidents continue to pose a threat to the stability of the country and the region, and highlight the need for the Government and the Lebanese Armed Forces to exercise a monopoly on the use of force throughout Lebanon. Therefore, more needs to be done in order to achieve the full implementation of resolution 1559 (2004) and to maintain the achievements already accomplished.

7. I took careful note that, in his address to the General Assembly at its sixty-fifth session, President Sleiman affirmed that Lebanon was striving to maintain internal stability through dialogue, by completing the implementation of the Taif Accord and resorting to legal institutions to resolve any dispute, and through its commitment to the resolutions of the Security Council.

8. During the reporting period, I remained in regular and close contact with all parties in Lebanon, as well as with relevant regional and international leaders. I received the Prime Minister, Saad Hariri, during his visit to United Nations Headquarters on 25 May 2010. I met with President Sleiman in New York on 24 September on the margins of the General Assembly. On those occasions, I expressed the full support of the United Nations for the sovereignty, independence and territorial integrity of Lebanon, without foreign interference. I also urged my interlocutors to make progress towards the full implementation of resolution 1559 (2004) and all other resolutions pertaining to Lebanon, in the interest of the stability and prosperity of the country.

A. Sovereignty, territorial integrity, unity and political independence of Lebanon

9. Resolution 1559 (2004) is aimed at strengthening the sovereignty, territorial integrity, unity and political independence of Lebanon under the sole and exclusive authority of its Government, consistent with the Taif Accord of 1989, to which all the political parties in Lebanon have committed themselves, and to which the Security Council has given its support in numerous presidential statements since then.

10. I have maintained my efforts to encourage the Syrian Arab Republic and Lebanon to achieve the full delineation of their common border, which is the key to a number of explicit operational requirements set out in resolution 1680 (2006) and derived from resolution 1559 (2004). The delineation and demarcation of Lebanon's boundaries are a critical element in guaranteeing the country's territorial integrity and allowing for proper border control. Given the improvement in Lebanese-Syrian relations, there appears to be a renewed consensus regarding the need for the two countries to take concrete measures in that regard. However, despite concrete steps by Lebanon and numerous pledges by the Syrian Arab Republic, no tangible progress has been made. While acknowledging that border delineation is a bilateral issue, the Security Council, in resolution 1680 (2006) strongly encouraged the two countries to delineate their common border as a significant step towards affirming Lebanon's sovereignty and territorial integrity.

11. The continued occupation by the Israel Defense Forces of the northern part of the village of Ghajar and an adjacent area north of the Blue Line stands in violation of Lebanon's sovereignty, resolution 1701 (2006) and other relevant Security Council resolutions. I raised this matter repeatedly with Israeli officials during the reporting period. I will report in greater detail on this important matter in my upcoming report to the Security Council on the implementation of resolution 1701 (2006). Furthermore, diplomatic efforts relating to the issue of the Shab'a farms area have not yielded any results.

12. During the reporting period, intrusions into Lebanese airspace by Israeli aircraft and unmanned aerial vehicles continued on an almost daily basis, constituting violations of Lebanese sovereignty and of resolutions 1559 (2004) and 1701 (2006) and raising tension. The Government of Lebanon has repeatedly protested those violations. I have discussed the matter on numerous occasions with the Israeli authorities at the highest level, who in turn have claimed that the overflights are carried out for security reasons, citing alleged breaches of the arms embargo enforced pursuant to resolution 1701 (2006).

13. The Government of Lebanon sent to me and to the President of the Security Council a letter (S/2010/460, annex) regarding alleged Israeli espionage networks in the country, asserting that they constituted a blatant aggression against Lebanon and a flagrant violation of its sovereignty. Lebanese security agencies have continued their investigations into the networks. Several new individuals were arrested during the reporting period. Some have already been convicted in court.

B. Extension of Government control over all Lebanese territory

14. The Government of Lebanon has reaffirmed to the United Nations its intention to extend the State's authority over all Lebanese territory, so that it is eventually the sole armed force in the country, as called for in resolution 1559 (2004). To that end, the Lebanese Armed Forces and the Internal Security Forces play a crucial role in strengthening Lebanon's sovereignty and control over the entire country, although they have continued to face several challenges.

15. I am concerned by an increased number of security incidents involving the use of heavy weapons in populated areas during the reporting period. The most serious such incident occurred on 24 August 2010, when supporters of Hizbullah and Al-Ahbash clashed in the Burj Abi Haidar neighbourhood of West Beirut. Rocket-propelled grenades and machine guns were used in the fighting. Three deaths were reported in street battles, which rapidly spread to the surrounding areas. Those occurrences confirmed the possession of lethal weapons by non-State actors in populated areas. They also demonstrated a complete disregard on the part of armed groups for the safety of Lebanon's civilian population and for Lebanese law. Following the 24 August incident, Prime Minister Hariri called for the capital to become an area free of weapons. Members of Hizbullah expressed reservations about the initiative. Meanwhile, the Lebanese Cabinet announced the reinforcement of the presence of the Lebanese Armed Forces and the Internal Security Forces in Beirut.

16. Over the past six months, security sources in Lebanon have reported several shootings and explosions in and around paramilitary facilities in the eastern Beka'a Valley belonging to the Popular Front for the Liberation of Palestine-General

Command (PFLP-GC) and Fatah al-Intifadah. The permanent presence of such facilities alongside the Syrian-Lebanese border adds to the general porosity of parts of the land border and poses a challenge for the control of the border by the Lebanese Security Forces. It also makes border delineation more difficult.

17. As I have reported elsewhere to the Security Council in greater detail, in several incidents during the reporting period, UNIFIL was denied freedom of movement within its area of operations. Some of those incidents were serious and seemed to be organized in nature. In that respect, I welcome the statement made by the Council of Ministers last July in which it announced its decision to reinforce the presence of the Lebanese Armed Forces in southern Lebanon, as well as the subsequent action taken in that regard.

18. Given these concerns and the continued existence and activities of militias in Lebanon, improving the management and control of Lebanon's land borders is critical if the flow of weapons to armed groups is to be prevented. Several Member States have expressed concern over the illegal transfer of weapons across the land borders. Government officials in Lebanon acknowledge the porous nature of the border and the possibility that arms smuggling is occurring. I take this information seriously, but the United Nations does not have the means to verify it independently. I have raised the matter with Lebanese officials and several regional leaders, and have requested their assistance in this regard. All States must take the measures necessary to prevent the transfer of arms to groups outside the control of the Government of Lebanon. This is a factor key to stability in Lebanon and the region.

19. In that context, the Lebanese authorities reaffirmed to me their commitment to improving the monitoring of land borders to prevent the unauthorized flow of weapons, munitions and personnel into the country. The work of the Common Border Force is commendable. Yet, current efforts need to be increased and to become more systematic, in line with the recommendations set out in the reports of the Lebanon Independent Border Assessment Team. Moreover, the effective management of the border obviously requires the cooperation of neighbouring countries and the delineation of Lebanon's boundaries.

C. Disbanding and disarmament of Lebanese and non-Lebanese militias

20. In resolution 1559 (2004), the Security Council calls for the disbanding and disarming of all Lebanese and non-Lebanese militias, which merely reflects and reaffirms a decision to which all Lebanese committed themselves under the Taif Accord in 1989, in the aftermath of the civil war. At the time, this understanding led Lebanese militias, with the exception of Hizbullah, to give up their weapons.

21. Regrettably, Lebanese and non-Lebanese militias continue to operate in the country outside the Government's control, in serious violation of resolution 1559 (2004). While several groups across the political spectrum in Lebanon possess weapons outside Government control — as recent security incidents have demonstrated — the armed component of Hizbullah remains the most significant and most heavily armed Lebanese militia in the country. In addition, a series of Palestinian armed groups are operating in the country within and outside the refugee camps.

22. During the reporting period, there was no tangible progress towards the disbanding and disarming of Lebanese and non-Lebanese militias, as called for in the Taif Accord and resolution 1559 (2004).

23. Indeed, despite the provisions of the resolution, Hizbullah maintains a substantial paramilitary capacity that remains distinct from and may exceed the capabilities of the Lebanese Armed Forces. In addition, the United Nations has continued to receive, on a regular basis, reports that Hizbullah is upgrading and expanding its arsenal and military capabilities. In several public pronouncements during the reporting period, senior officials of Hizbullah neither denied nor confirmed that arms transfers were taking place, but acknowledged that a considerable arsenal that included strategic capabilities was being maintained. The group considers silence on the specifics of its military capabilities to be an integral part of its strategy of deterrence. The United Nations is not in a position to verify independently the assertions that are made, but takes them very seriously.

24. Hizbullah's maintenance of a substantial arsenal outside Government control has continued to be a central issue in the public debate. It remains my firm conviction that the disarmament of Hizbullah and other militias can best be achieved through a Lebanese-led political process. So far, this political process has taken the form of the Lebanese National Dialogue, bringing together Lebanon's main political leaders.

25. Since its reconvening after the May 2008 events, the National Dialogue, chaired by President Sleiman, has helped to preserve stability in the country and to contain public rhetoric. With a view to addressing the question of weapons outside Government control, participants in the forum were requested to present their positions on the national defence strategy and to seek, through a committee of experts, commonalities among the proposals presented by participants. To date, not all participants have nominated members to represent them on the committee, which, regrettably, is not convened on a regular basis.

26. During the reporting period, the National Dialogue was convened by President Sleiman on two occasions: on 17 June and 19 August 2010. Discussions at the most recent session reflected once again both the centrality of the issue of Hizbullah's weapons with regard to the development of a national strategy and the strong opposition to discussing this issue on the part of Hizbullah and its political allies. As a result of those discussions, the participants agreed, inter alia: (a) to continue to study the national defence strategy; (b) to confirm the importance of a national consensus, the consolidation of political and security stability and commitment to the decisions approved at the National Dialogue, particularly those related to illegal Palestinian weapons outside the camps; and (c) to pursue the national campaign aimed at ensuring the right of return of Palestinian refugees and rejecting their naturalization. It was agreed that the National Dialogue would be reconvened on 4 November.

27. With respect to the situation of Palestinians in Lebanon, I am pleased to report that the leadership of the Palestine Liberation Organization has reiterated, both to me and publicly, its appeal to the Palestinians in Lebanon to respect the sovereignty and political independence of Lebanon, as well as Lebanese law and security requirements.

28. While the situation in most of the 12 Palestinian refugee camps remains relatively stable, the threat that internal violence could spill over into surrounding areas still exists in a number of camps. Some of the camps continue to provide safe haven for those who seek to escape the authority of the State. During the reporting period, security sources registered several incidents in and around refugee camps involving the use of weapons.

29. Notwithstanding those incidents, closer cooperation between Palestinian camp authorities and Lebanese authorities has improved camp security. Meanwhile, Lebanese authorities do not maintain a permanent presence inside the camps, despite the fact that the Cairo agreement of 1969, which permitted the presence of Palestinian armed forces in the refugee camps, was annulled by the Lebanese Parliament in 1987. More will need to be done to contain potential tension in the camps.

30. The situation of Palestinian refugees living in Lebanon remains, by and large, dire. For many years, the United Nations has urged the Government to improve the conditions in which Palestinian refugees live in Lebanon, without prejudice to the eventual resolution of the Palestinian refugee question in the context of a comprehensive peace agreement in the region, in particular given the detrimental effects of dismal living conditions on the wider security situation. Prime Minister Hariri has reassured me that his Government remains committed to addressing the social and economic conditions of Palestinian refugees.

31. In a significant effort to improve the situation of Palestinian refugees, Lebanon's Parliament adopted, on 17 August 2010, amendments to the Labour Code and the Social Security Law that lifted restrictions on work for Palestinian refugees in the country, based on a draft proposal originally introduced by Member of Parliament Walid Jumblatt in June 2010. The new legislation will facilitate, inter alia, the process by which Lebanese employers hire Palestinian refugees. It will also extend a number of legal protections to Palestinian employees.

III. Observations

32. The functioning of the Government of national unity in Lebanon has been the best guarantee that calm will be maintained and dialogue promoted in the country, pursuant to the commitments undertaken by all Lebanese leaders in Doha in May 2008. I am very concerned by the recent increase in political tensions in the country, as manifested by, inter alia, acrimonious statements and acts of defiance. Lebanon is currently experiencing a domestic climate of uncertainty and fragility. It is therefore imperative that the spirit of entente and respect for the principles of security prevail. The country's political leaders must focus on strengthening its sovereignty and independence as well as its institutions. I urge all political leaders to transcend sectarian and individual interests and to genuinely promote the future and the interests of the nation.

33. Over the past six months, Lebanon has maintained the achievements already accomplished towards the implementation of resolution 1559 (2004). However, there has been little further tangible progress, as the remaining issues to be addressed are the thorniest.

34. The existence of militias outside the control of the Government of Lebanon constitutes a challenge to the ability of the State to exercise its full sovereignty and control over its territory. It remains a fundamental and dangerous anomaly that stands against the democratic aspirations of Lebanon and threatens domestic peace. The disbanding and disarmament of militias are of vital importance to the strengthening of Lebanon's sovereignty and political independence. I deplore the use by non-State actors of heavy weapons in populated areas, which has resulted in injuries and deaths. For that reason, I appeal to all parties, within and outside Lebanon, to immediately halt all efforts to transfer and acquire weapons and to build paramilitary capacities outside the authority of the State.

35. I am mindful that the maintenance by Hizbullah of an independent paramilitary capacity continues to be at the centre of the political debate in Lebanon and the ongoing process of post-civil-war reconciliation. Its significant military arsenal creates an atmosphere of intimidation and poses a key challenge to the safety of Lebanese civilians and to the Government's monopoly on the legitimate use of force. I call upon the leaders of Hizbullah to complete the group's transformation into a solely Lebanese political party and to disarm, consistent with the requirements set out in the Taif Accord. Regional parties that maintain close ties with Hizbullah must encourage it in the same direction.

36. I note with satisfaction that, in his address to the General Assembly a month ago, President Sleiman reaffirmed his country's commitment to the implementation of the Taif Accord. This agreement must be preserved and implemented by all in order to avoid the spectre of a renewed confrontation among the Lebanese.

37. The National Dialogue remains an important tool for maintaining calm and stability in the country and for addressing the critical issues of weapons outside the control of the State. Yet, the process of developing a national defence strategy faces significant obstacles of a political, rather than a technical, nature. Indeed, while the merits of this process are recognized, the overall gains of the National Dialogue have thus far remained limited.

38. I commend President Sleiman for his leadership in steering this difficult process, which has helped significantly to reduce domestic tension in Lebanon, in particular after the serious clashes of May 2008. At the same time, the National Dialogue also needs to make tangible progress on its stated objective of developing a national defence strategy. That in turn will necessitate addressing the question of arms outside the control of the State. A credible process needs to be established in this respect, with clear benchmarks against which progress can be measured, as well as greater institutional anchoring. Once again, I emphasize that the main goal of the Dialogue should clearly be to bring all arms in Lebanon under the sole control of the Government. I urge the participants in the National Dialogue to demonstrate seriousness in addressing these critical questions of sovereignty and national defence.

39. I hope that the rapprochement between Lebanon and the Syrian Arab Republic will pave the way for addressing such important pending bilateral issues as the delineation of the Lebanese-Syrian border. I welcome the renewed intention of the two Governments to move forward on this issue, which will allow for enhanced border control, and encourage them to swiftly begin the work of delineation.

40. The continued presence of PFLP-GC and Fatah al-Intifadah paramilitary infrastructures outside the refugee camps continues to be of great concern to me. I regret that my repeated encouragements to the Government of Lebanon to address this long-standing issue have not been heeded, despite the consensual agreement reached at the National Dialogue already in 2006 to do so. I urge the Government of national unity to implement the decisions previously agreed upon and reiterated in the Government's ministerial declaration of December 2009, related to provisions concerning the disarmament of Palestinian military outposts outside the refugee camps and addressing the issue of arms inside the camps. Mindful that these two militias maintain close regional ties, I renew my appeal to the Government of the Syrian Arab Republic to assist in this process.

41. I commend the Government of Lebanon and Lebanese parliamentarians for the important initial legislative steps that they have taken towards improving the living conditions of Palestinian refugees in Lebanon, without prejudice to an overall resolution of the Palestinian refugee question within the framework of a comprehensive peace agreement. I look forward to their implementation under the supervision of the Ministry of Labour and with the support of the Lebanese-Palestinian Dialogue Committee during the coming period. I hope that further steps in that direction will be taken soon, as I am convinced that addressing the difficult conditions of Palestinian refugees will have a positive impact on the coexistence of Lebanese and Palestinians, and hence on national security and stability.

42. Recent security incidents highlight the need for Lebanese security forces to do more to prevent and respond to acts of violence, and for the Government of Lebanon and all relevant political leaders to make clear that such acts will not be tolerated. While the Lebanese security forces are careful not to inflame sectarian tensions by appearing to take sides in armed clashes, they clearly have a duty to enforce Lebanese law and to protect Lebanon's civilian population from harm.

43. The Lebanese Armed Forces are playing a crucial role in strengthening Lebanon's sovereignty and control over all the country, thereby promoting stability. The Lebanese Armed Forces also represent a strong symbol of Lebanese sovereignty and unity, showing robust commitment and resolve. The multiple security responsibilities of the Forces, compounded by the fact that they still lack adequate military equipment, have an impact on their capacity to meet their obligations under relevant Security Council resolutions. I therefore call on donor countries to continue to come forward and assist the Lebanese Armed Forces in improving their logistical and operational capabilities.

44. I deplore the continued Israeli violations of Lebanon's sovereignty and territorial integrity. I call upon Israel to adhere to its obligations under relevant Security Council resolutions and withdraw from the northern part of the village of Ghajar and cease its overflights of Lebanese airspace.

45. In sum, I remain keenly aware that the combination of mistrust among the parties and the continued presence of militias could lead to tensions and possible insecurity and instability in Lebanon and beyond. The country should not be used as a staging ground for furthering regional aspirations or promoting conflict. It is therefore imperative that Lebanon preserve its comprehensive political framework of coexistence in mutual respect, as set out in the Taif Accord. I urge all the friends and neighbours of Lebanon to play a constructive role in supporting its Government

of national unity in good faith, bearing in mind all the sacrifices that Lebanon has made in order to enhance its sovereignty and political independence.

46. I therefore call on all parties and actors to fully abide by resolutions 1559 (2004), 1680 (2006) and 1701 (2006). I will continue my efforts for the purpose of the full implementation of those and all other relevant Security Council resolutions concerning the restoration of the territorial integrity, full sovereignty and political independence of Lebanon.